IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01/07/2003

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THE HONOURABLE MR.JUSTICE V.KANAGARAJ

Criminal Original Petition No.20127 of 2003

T.Veeran .. Petitioner

-Vs-

1. State rep. by
Sub-Inspector of Police
Rajapalayam North Police Station
Virudhu Nagar District
(Crime No. 174 of 2003)

2. Inspector of Police
C.B.C.I.D. Wing
Virudhu Nagar District. .. Respondents

Petition filed under Section 482 of the Criminal Procedure Code praying for the relief as stated therein.

For Petitioner : Mr.R.Anand

For Respondents : Mr.A.N.Thambidurai
Govt. Advocate (Crl.Side)

:O R D E R
This petition has been filed praying to issue a direction to transfer the investigation in Cr.No. 174/2003 from the file of the SubInspector of Police, Rajapalayam, North Police Station, Virudhunagar District, the first respondent herein to the file of the Inspector of Police, C.B.C.I.D. Wing, Virudhunagar District for further investigation.
2. The learned counsel appearing on behalf of the petitioner is aggrieved that inspite of having registered a case, the first respondent has not taken any follow up action towards investigation, as a result of which, inspite of being a grave offence committed the sections remain very light ones, for instance the respondent has registered the case under Sections 147, 427 and 323 I.P.C. in a case of commission of offence of grave nature. The first respondent police have not also investigated the matter properly, as a result of which the petitioner would seek for the transfer of the investigation from the hands of the first respondent to the C.B.C.I.D.
3. On the part of the learned Government Advocate on the Criminal Side representing the respondents, he would submit that the

investigation is going on smoothly and that only after obtaining the medical certificate etc. the police will be able to arrive at the conclusion as to under which provision of law the chargesheet has to be laid, particularly when it is a case in counter, in which in the other case this Court has quashed the chargesheet for certain reasons alleged and therefore, the learned Government Advocate on the Criminal Side would further submit that the petitioner shall remain patient till the outcome of the investigation and hence, the following order.

In result,

i.the first respondent is hereby directed to expedite the investigation in this regard to bring out a true case as it had been committed and file a chargesheet at the earliest;

ii.the Deputy Superintendent of Police concerned shall monitor the investigation done by the first respondent so as to reach its logical ends;

iii.subject to the above direction, this Court is of the view to close the above Criminal Original Petition and the same is ordered accordingly.

Index: Yes
Internet: Yes
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To

1. State rep. by
Sub-Inspector of Police
Rajapalayam North Police Station
Virudhu Nagar District
(Crime No. 174 of 2003)

2. Inspector of Police
C.B.C.I.D. Wing
Virudhu Nagar District.

3. The Public Prosecutor,
High Court, Madras.